

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH DAKOTA
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

CR 15-40075

Plaintiff,

DEFENDANT'S
MOTION TO SUPPRESS

vs.

BENJAMIN LYLE IVERSON,

Defendant.

Defendant Benjamin Lyle Iverson moves to suppress (1) any and all statements, and the fruits thereof, made before he was advised of his *Miranda* rights on April 11, 2015, on the ground that the statements were obtained in violation of his Fifth Amendment rights, and (2) any and all evidence, and the fruits thereof, obtained from the warrantless search of his cell phone on the ground that the search violated his Fourth Amendment rights. A legal memorandum in support of this motion has been filed and is incorporated by reference.

Dated this 16th day of July 2015.

Respectfully submitted,

NEIL FULTON
Federal Public Defender

By: /s/ Jason J. Tupman

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